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SEP 25 2008

In re Application of
Richard Farrar et al.
Application No. 10/524,800
Filed: January 17, 2006
Attorney Docket No.: 1781-0017

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ON PETITION

This is a decision on the petition filed September 12, 2008 under 37 CFR 1.181 to withdraw the holding of abandonment for the above-identified application.

The petition under 37 CFR 1.181 is **GRANTED**.

The application was held abandoned on February 20, 2008, for failure to timely submit a timely response to the non-Final Office Action mailed November 19, 2007, which set a three month period for reply. Accordingly, a Notice of Abandonment was mailed August 1, 2008.

Petitioner asserts that a response was filed and, in support, petitioner has submitted, *inter alia*, a copy of the response said to have been filed which includes a certificate of mail date of February 19, 2008 and a post card receipt date stamped February 21, 2008 by the USPTO.

The evidence submitted corroborates a timely response to the non-Final Office Action. Accordingly, the holding of abandonment is withdrawn and the Notice of Abandonment is vacated. No petition fee is due and none has been charged.

This matter is being referred to Technology Center 3733 for appropriate action on the amendment filed February 21, 2008, a copy of which was submitted September 12, 2008 with the instant petition.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions